

### **STATUS OF CLAIMS**

Claims 1, 7-10, 13, 16, 23-26, 32, 37, 40, 47-51, 55, 61-63, 67, 69-71, and 74 are pending.

Claims 1, 7-10, 13, 16, 23-26, 32, 37, 40, 47-51, 55, 61-63, 67, 69-71, and 74 have been rejected by the Examiner.

Reconsideration of the present Application is respectfully requested.

### **REMARKS**

#### Double Patenting

Claims 1, 7-10, 13, 16, 23-26, 32, 37, 40, 47-51, 55, 61-63, 67, 69-71, and 74 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over U.S. Patent No. 6,405,034, and in some circumstances, in view of U.S. Patent No. 6,233,448.

In response to this rejection and to expedite examination of the instant application, Applicant herewith submits a terminal disclaimer. In addition to the terminal disclaimer, Applicant herewith submits the fee set forth under 37 CFR §1.20(d). Therefore, based upon the filing of a terminal disclaimer and the prescribed fee, Applicant believes the rejection has been overcome and respectfully requests the rejection be withdrawn.

### **CONCLUSION**

Wherefore, Applicant believes all outstanding grounds raised by the Examiner have been addressed and respectfully submits the present case is in condition for allowance, early notification of which is earnestly solicited. Should there be any

questions or outstanding matters, the Examiner is cordially invited and requested to contact Applicant's undersigned attorney at the number listed below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Thomas J. McWilliams', is written over a horizontal line.

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